

## **2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 Behavioral Health

**ACT#:** 42-1SS

**SECTION#:** 12

### **CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

### **EXECUTIVE RECOMMENDATION**

#### **BEHAVIORAL MENTAL HEALTH SERVICES - ALLOCATION RESTRICTIONS.**

There is hereby allocated to the Community Mental Health Centers, as set out herein, the following amounts of the funds appropriated for State Assistance in the Behavioral Mental Health Services - Community Mental Health Centers appropriation, to the Department of Human Services — Behavioral Mental Health Services Division, there to be used as provided by law, for the biennial period ending June 30, ~~2005~~ 2007, the following:

Item	Maximum Allocation Fiscal Years	
NO. Mental Health Center	<del>2003-04</del>	<del>2004-05</del>
	<u>2005-06</u>	<u>2006-07</u>
(01) OZARK GUIDANCE CENTER, INC.	<del>859,964</del>	<del>859,964</del>
	<u>\$1,073,206</u>	<u>\$1,073,206</u>
(02) OZARK COUNSELING SERVICES, INC.	<del>310,180</del>	<del>310,180</del>
	<u>322,350</u>	<u>322,350</u>
(03) <u>HEALTH RESOURCES OF ARKANSAS, INC.</u>	<u>NORTH ARKANSAS</u>	
<del>HUMAN SERVICES SYSTEM, INC.</del>	<del>688,300</del>	<del>688,300</del>
	<u>680,250</u>	<u>680,250</u>
(04) COUNSELING SERVICES OF EASTERN ARKANSAS	<del>538,004</del>	<del>538,004</del>
	<u>455,940</u>	<u>455,940</u>
(05) DELTA COUNSELING ASSOCIATES, INC.	<del>306,618</del>	<del>306,618</del>
	<u>260,069</u>	<u>260,069</u>

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**EXECUTIVE RECOMMENDATION**

(06) SOUTH ARKANSAS REGIONAL HEALTH CENTER	458,276	458,276
	<u>382,289</u>	<u>382,289</u>
(07) SOUTHEAST ARKANSAS BEHAVIORAL HEALTHCARE SYS. INC.	508,316	508,316
	<u>442,335</u>	<u>442,335</u>
(08) SOUTHWEST ARKANSAS COUNSELING & MENTAL HEALTH CENTER, INC.	395,442	395,442
	<u>355,798</u>	<u>355,798</u>
(09) COMMUNITY COUNSELING SERVICES, INC.	495,184	495,184
	<u>497,296</u>	<u>497,296</u>
(10) WESTERN ARK. COUNSELING & GUIDANCE CENTER	731,276	731,276
	<u>733,788</u>	<u>733,788</u>
(11) COUNSELING ASSOCIATES, INC.	602,556	602,556
	<u>657,741</u>	<u>657,741</u>
(12) COUNSELING CLINIC, INCORPORATED	228,861	228,861
	<u>255,599</u>	<u>255,599</u>
(13) PROFESSIONAL COUNSELING ASSOCIATES	797,337	797,337
	<u>743,898</u>	<u>743,898</u>
(14) LITTLE ROCK CMHC-ASSOCIATES	623,384	623,384
	<u>553,055</u>	<u>553,055</u>
(15) MID-SOUTH HEALTH SYSTEMS	838,183	838,183
	<u>766,989</u>	<u>766,989</u>

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

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**EXECUTIVE RECOMMENDATION**

TOTAL AMOUNT ALLOCATED                      ~~8,381,881~~ ~~8,381,881~~  
   \$8,180,603   \$8,180,603

The provisions of this section shall be in effect only from July 1,  
~~2003~~ 2005 through June 30, ~~2005~~ 2007.

## **2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 Behavioral Health

**ACT#:** 42-1SS

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### **CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

### **EXECUTIVE RECOMMENDATION**

~~BEHAVIORAL MENTAL~~ HEALTH SERVICES - ALLOCATION RESTRICTION AND TRANSFER PROVISION. Of the amounts allocated in the ~~BEHAVIORAL MENTAL~~ HEALTH SERVICES - ALLOCATION RESTRICTIONS section above, it is the intent of the General Assembly that such amounts are to be the maximum expended in the applicable fiscal year from the funds as appropriated for State Assistance in the ~~Behavioral Mental~~ Health Services - Community Mental Health Centers appropriation for the benefit of the appropriate program so enumerated. Provided, however, in the event that unforeseen circumstances occur in either fiscal year which would necessitate a transfer of the maximum allocation provided the ~~BEHAVIORAL MENTAL~~ HEALTH SERVICES - ALLOCATION RESTRICTIONS section above from one or more programs to another program or programs as enumerated in the ~~BEHAVIORAL MENTAL~~ HEALTH SERVICES - ALLOCATION RESTRICTIONS section above, the ~~Behavioral Mental~~ Health Services Division with the approval of the Director of the Department of Human Services shall make its request known, and the reasons thereof, to the Office of Budget, Department of Finance and Administration in such form and detail as may be required by the Chief Fiscal Officer of the State. If approved, such transfer approval shall be transmitted to the Bureau of Legislative Research who shall make a report of the transfer and the reasons thereof to the Arkansas Legislative Council at least quarterly.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 Behavioral Health

**ACT#:** 42-1SS

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**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~BEHAVIORAL MENTAL~~ HEALTH SERVICES - LEGISLATIVE AUDIT OF MENTAL HEALTH CENTERS. Every Mental Health Center eligible to receive any of the funds appropriated for State Assistance in the ~~Behavioral Mental~~ Health Services - Community Mental Health Centers appropriation in this Act shall, as a condition of receiving any such funds, be subject to an annual audit of the overall operation of such Mental Health Center by the Division of Legislative Audit. The Mental Health Centers shall submit a budget to the ~~Behavioral Mental~~ Health Services Division, Department of Human Services, and the Arkansas Legislative Council and go through the budget procedures process in the same manner as State departments, agencies, institutions, boards and commissions. Budgets shall be submitted based on operating revenues and expenses of each Center and each Center shall provide information related to financial status requested by the Legislative Council and/or Joint Budget Committee.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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## **2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 Behavioral Health

**ACT#:** 42-1SS

**SECTION#:** 15

### **CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

### **EXECUTIVE RECOMMENDATION**

~~BEHAVIORAL MENTAL HEALTH SERVICES - APPORTIONMENT OF FUNDS.~~  
All funds appropriated under the provisions of the State Assistance line item in the ~~Behavioral Mental Health Services - Community Mental Health Centers~~ appropriation in this Act shall be apportioned on the basis of three dollars and six cents (\$3.06) per capita for fiscal year ~~2003-2004~~ 2005-2006 and three dollars and six cents (\$3.06) per capita for fiscal year ~~2004-2005~~ 2006-2007 or so much thereof as funds shall become available. Additional funds shall be apportioned on the basis of fifty cents (\$.50) per capita or a one-to-one State/Local funds matching basis for both years of the biennial period ending June 30, ~~2005~~ 2007. The total ~~\$8,180,603~~ 8,381,880 allocated for FY ~~2003-2004~~ 2005-2006 and ~~\$8,180,603~~ 8,381,880 for FY ~~2004-2005~~ 2006-2007 shall be distributed to the community mental health centers as described in this section.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

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## **2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 Behavioral Health

**ACT#:** 42-1SS

**SECTION#:** 16

### **CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

### **EXECUTIVE RECOMMENDATION**

BEHAVIORAL ~~MENTAL~~ HEALTH SERVICES - GRANTS-IN-AID CONDITIONS FOR RECEIVING FUNDS. Only locally-operated Centers and Clinics licensed or certified by the Behavioral ~~Mental~~ Health Services Division are eligible to receive funds appropriated for State Assistance in the Behavioral ~~Mental~~ Health Services - Community Mental Health Centers appropriation in this Act, and as a condition of receiving such funds they shall:

(1) Meet minimum standards of performance in the delivery of Mental Health Services as defined by the Department of Human Services, Behavioral ~~Mental~~ Health Services Division. Such standards will identify priority and/or target populations to be served. The standards shall describe procedures for assuring timely service delivery to clients who are within the custody of the Department of Human Services when such clients are referred to a duly certified center or clinic. Provided further, all such priorities, policies and procedures shall be reviewed by the House Aging, Children & Youth, Legislative and Military Affairs Committee and the Senate Children and Youth Committee.

(2) Supply statistical data to the Department of Human Services, Behavioral ~~Mental~~ Health Services Division.

(3) Establish and maintain a sound financial management system in accordance with guidelines as set forth by the Department of Human Services, Behavioral ~~Mental~~ Health Services Division.

(4) Establish and maintain community support programs designed to provide coordinated care and treatment to ensure ongoing therapeutic

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## **2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 Behavioral Health

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### **CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

### **EXECUTIVE RECOMMENDATION**

involvement and individualized treatment for persons with long-term, severe mental illness. Every community support program shall use a coordinated case management system and shall provide or assure access to services for persons with long-term, severe mental illness who reside within the respective catchment area of the Center. At a minimum, each community support program shall provide assessment, diagnosis, identification of persons in need of services, case management, crisis intervention, psychiatric treatment including medication services and supervision, counseling and psychotherapy, activities of daily living, housing, protection and advocacy, and psychosocial rehabilitation which may include services provided by day treatment programs.

(5) The Board of Directors of each Center or Clinic licensed or certified by the Department of Human Services, Behavioral Mental Health Services Division, shall adopt and submit to the ~~Deputy~~ Director, Behavioral Mental Health Services Division, in the form and according to the procedures specified by the ~~Deputy~~ Director, Behavioral Mental Health Services Division, an annual plan for the delivery of community support services for persons with long-term, severe mental illness. Each Center's plan must be approved by the ~~Deputy~~ Director, Behavioral Mental Health Services Division.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.



**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 Behavioral Health

**ACT#:** 42-1SS

**SECTION#:** 17

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~BEHAVIORAL MENTAL~~ HEALTH SERVICES - FEDERAL FUNDS. It is the specific intent of the General Assembly that in the event of the availability of federal funding for the Division of Behavioral Mental Health Services during either year of the biennial period ending June 30, ~~2005~~ 2007, that such funding be utilized to conserve or reduce the expenditure of general revenue except where prohibited by law.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

AGENCY REQUEST

## **2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 Behavioral Health

**ACT#:** 42-1SS

**SECTION#:** 18

### **CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

BEHAVIORAL MENTAL HEALTH SERVICES. Pay rates for physicians and chief psychologists within the Division of Behavioral Mental Health Services may include the special allowances available to UAMS physicians and professional faculty as described in the special language of the UAMS appropriation. Part of the salaries of such staff will come from the receipt of professional income in the care of patients and/or funds received from federal agencies, foundations and other private sponsors in the support of research. Provided that any such allowance shall not exceed, for any employee, an amount equal to two and one half times the salary authorized by the General assembly. The specific Division of Behavioral Mental Health classifications covered by this language are:

Class Code	Title
6610	Psychiatric Specialist Supervisor
6617	Psychiatric Specialist
6621	Psychiatrist
6639	Mental Health General Physician
6607	Mental Health Services Chief Psychologist

Prior to these allowances being made available for an individual, they will be approved by the Chief Fiscal Officer of the State and reviewed by the Personnel Committee of the Arkansas Legislative Council or the Joint Budget Committee.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

### **EXECUTIVE RECOMMENDATION**

BEHAVIORAL MENTAL HEALTH SERVICES. Pay rates for physicians and chief psychologists within the Division of Behavioral Mental Health Services may include the special allowances available to UAMS physicians and professional faculty as described in the special language of the UAMS appropriation. Part of the salaries of such staff will come from the receipt of professional income in the care of patients and/or funds received from federal agencies, foundations and other private sponsors in the support of research. Provided that any such allowance shall not exceed, for any employee, an amount equal to two and one half times the salary authorized by the General assembly. The specific Division of Behavioral Mental Health classifications covered by this language are:

Class Code	Title
6610	Psychiatric Specialist Supervisor
6617	Psychiatric Specialist
6621	Psychiatrist
6639	<u>Behavioral Mental Health</u> General Physician
6607	<u>Behavioral Mental Health Services</u> Chief Psychologist

Prior to these allowances being made available for an individual, they will be approved by the Chief Fiscal Officer of the State and reviewed by the Personnel Committee of the Arkansas Legislative Council or the Joint Budget Committee.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 Behavioral Health

**ACT#:** 42-1SS

**SECTION#:** 19

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~BEHAVIORAL MENTAL~~ HEALTH SERVICES - VOCATIONAL TRAINEES.  
The Division of ~~Behavioral Mental~~ Health Services of the Department of Human Services is hereby authorized during the ~~2003-2005~~ 2005-2007 biennium to provide employment opportunities for some of the working residents who are separate from the currently authorized regular vocational trainee positions. The positions authorized herein shall not be incorporated into the present classification system but shall be provided for by each Community Mental Health Center, or State Hospital, on a cash account basis. It is the intent of the General Assembly that the authorization of these positions shall facilitate the Agency's ability to provide for residents who are not part of a regular vocational training program.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 Behavioral Health

**ACT#:** 42-1SS

**SECTION#:** 20

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~BEHAVIORAL MENTAL~~ HEALTH SERVICES - JOB SHARE. The Division of ~~Behavioral Mental~~ Health Services can utilize job share for positions within the nursing classification (RN,LPN/LPTN,MHW/CNA) for up to 24 hours per week per individual. This will allow the Division to offer weekend option shifts to nursing personnel without increasing the number of positions.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 Behavioral Health

**ACT#:** 42-1SS

**SECTION#:** 21

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~BEHAVIORAL MENTAL~~ HEALTH SERVICES - STATE HOSPITAL CONTINGENCY POSITIONS. If the Department of Human Services determines, and after prior review by the Legislative Council, it shall be determined that it is in the best interest of the State of Arkansas to discontinue a management contract with a private provider and it is deemed necessary to utilize Department staff to provide the required services, the Director of the Department of Human Services may request the Department of Finance and Administration to approve the establishment of one or more additional positions at salary rates not to exceed the maximum salaries established for comparable positions in the Uniform Classification and Compensation Act, the Department of Human Services' Appropriation Act, and the University of Arkansas for Medical Sciences' Appropriation Act. Upon approval by the Department of Finance and Administration and after review by the Legislative Council, the Department of Human Services, Division of Behavioral ~~Mental~~ Health Services may establish such positions.

If the agency requests continuation of a "Growth Pool" position(s) as established herein during the next biennium, the position(s) must be requested as a new position(s) in the agencies biennial budget request.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 Behavioral Health

**ACT#:** 42-1SS

**SECTION#:** 22

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

DRUG COURT RULES AND REGULATIONS. The Department of Human Services - Division of Behavioral ~~Mental~~ Health Services shall develop administrative rules and regulations regarding the distribution of monies from the Magnum Drug Court Fund and shall submit such rules and regulations to the Arkansas Legislative Council or Joint Budget Committee for review.

AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 DHS Behavioral Health

**ACT#:** 1225

**SECTION#:** 1

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~LEGISLATIVE FINDINGS AND INTENT. The General Assembly recognizes that the state encouraged the treatment of mentally ill residents within community-based settings over two decades ago and has taken various approaches to funding since then. The General Assembly also recognizes that there are inherent problems within the current public mental health system that create disincentives for proper treatment and care. The purpose of this Act is to provide an appropriation for acute mental health services to be utilized within community-based settings for the treatment and care of medically indigent persons 18 years of age and older and involuntary commitments to the public mental health system. The appropriation for acute mental health services provided in this Act shall only be used for Community Mental Health Centers licensed and certified by the Division of Mental Health Services of the Department of Human Services for use within community-based settings and facilities.~~

CONTINUE CURRENT LANGUAGE

## 2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT

**AGENCY:** 0710 DHS Behavioral Health

**ACT#:** 1225

**SECTION#:** 3

### **CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

### **EXECUTIVE RECOMMENDATION**

~~MENTAL HEALTH SERVICES — ALLOCATION RESTRICTIONS. There is hereby allocated to the Community Mental Health Centers, as set out herein, the following amounts appropriated in Item (01) of Section 2, Acute Mental Health Services — Baseline, to the Department of Human Services — Division of Mental Health Services, for the biennial period ending June 30, 2005 2007, the following:~~

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		Maximum Allocation	
		Fiscal Years	
Item No.	Community Mental Health Centers	2003-2004	2004-2005
		<u>2005-2006</u>	<u>2006-2007</u>
(01)	Counseling Associates, Inc.	\$ 147,000	\$ 147,000
(02)	Counseling Clinic	147,000	147,000
(03)	Community Counseling Services	147,000	147,000
(04)	Counseling Services of Eastern Arkansas	147,000	147,000
(05)	Delta Counseling Services	147,000	147,000
(06)	Little Rock Community Mental Health Center	147,000	147,000
(07)	Mid-South Health Systems	147,000	147,000
(08)	North Arkansas Human Services System	147,000	147,000
(09)	Ozark Counseling Services	147,000	147,000
(10)	Ozark Guidance Center	147,000	147,000
(11)	Professional Counseling Associates	147,000	147,000
(12)	South Arkansas Regional Health Center	147,000	147,000
(13)	Southeast Arkansas Behavioral Healthcare		
	System	147,000	147,000



**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 DHS Behavioral Health

**ACT#:** 1225

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**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

~~(14) Southwest Ark Counseling & Mental Hlth Cnter 147,000 — 147,000~~

~~(15) Western Arkansas Counseling & Guidance~~

~~Center 147,000 — 147,000~~

~~TOTAL AMOUNT ALLOCATED \$ 2,205,000 \$ 2,205,000~~

~~The amount of available funds for the appropriation for Acute Mental Health Services Baseline shall be determined by the Director of the Department of Human Services.~~

## **2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 DHS Behavioral Health

**ACT#:** 1225

**SECTION#:** 4

### **CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

### **EXECUTIVE RECOMMENDATION**

BEHAVIORAL MENTAL HEALTH SERVICES - APPORTIONMENT OF FUNDS.  
Each Community Mental Health Center shall contract with one or more facilities of its choice (excluding Arkansas State Hospital) to provide the inpatient care for indigent patients which the Community Mental Health Center has determined to be necessary after prompt screening by the Community Mental Health Center. Payment for patients screened and approved by the Community Mental Health Center who receive care at these inpatient facilities shall be provided to the inpatient facilities at the contract rate unless the funds available for this purpose have been exhausted. Available funding as determined by the Director of the Department of Human Services shall be apportioned on a per capita basis up to a maximum of three dollars and forty-eight cents (\$3.48) per capita for fiscal year ~~2003-2004~~ 2005-2006 and three dollars and forty-eight cents (\$3.48) per capita for fiscal year ~~2004-2005~~ 2006-2007. The 2000 federal population census shall be used in determining the population of each catchment area of the fifteen Community Mental Health Centers. All amounts appropriated under this section shall be used by Community Mental Health Centers for residents of each center's catchment area and such funds shall only be accessed as the payment of last resort.

AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 DHS Behavioral Health

**ACT#:** 1225

**SECTION#:** 5

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

REPORTING. The Division of Behavioral ~~Mental~~ Health Services shall develop an evaluation and monitoring program that will assure all expenditures are made consistent with the intent of these appropriations. As a condition for receiving funds under this Act, Community Mental Health Centers (CMHCs) shall report quarterly to the Division of Behavioral ~~Mental~~ Health Services the following data:

- (1) the number of involuntary commitments and medically indigent admissions referred by CMHCs to community-based settings;
- (2) the number of involuntary commitments and medically indigent admissions to community-based settings receiving assistance from the acute mental health services funds;
- (3) the total number of acute bed days utilized by these involuntary commitments;
- (4) the total number of bed days utilized by these medically indigent admissions;
- (5) the average length of stay of admissions for these involuntary commitments per catchment area;
- (6) the average length of stay of admissions for these medically indigent admissions per catchment area;
- (7) the number of medically indigent admissions per catchment area unable to receive assistance from the acute mental health services funds due to such funds being depleted by prior admissions;
- (8) the number of re-admissions per catchment area for involuntary commitments and medically indigent admissions to

AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 DHS Behavioral Health

**ACT#:** 1225

**SECTION#:** 5

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

community-based settings receiving assistance from the acute mental health services; and

(9) identify any steps taken by CMHCs to improve access to acute mental health services.

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** ~~0645 Health Department~~ 0710 Division of Behavioral Health Services **ACT#:** 33-1SS

**SECTION#:** 42

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

COMMUNITY ALCOHOL SAFETY CARRY FORWARD. Such Community Alcohol Safety appropriation as is authorized in this Act which remains at the end of the first fiscal year of the biennium may be carried forward into the second fiscal year of the biennium there to be used for the same purposes.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

AGENCY REQUEST

## **2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 DHS – ~~Medical Services~~Behavioral Health Services

**ACT#:-**17-1SS

**SECTION#:** 21

### **CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

### **EXECUTIVE RECOMMENDATION**

ARKANSAS HEALTH CENTER. (A) The Department of Human Services shall not close the Arkansas Health Center that provides skilled nursing through specialized services and programs.

(B) The Department of Human Services shall continue to accept clients for whom it has determined that skilled nursing and specialized services are needed at the Arkansas Health Center.

(C) No funds shall be transferred or reduced from the Arkansas Health Center, except for use as federal matching funds, below the approved funding level on March 1, 2003 without the prior approval of the Arkansas Legislative Council or the Joint Budget Committee.

(D) Determining the maximum amount of appropriation and general revenue funding for a state agency each fiscal year is the prerogative of the General Assembly. This is usually accomplished by delineating such maximums in the appropriation act(s) for a state agency and the general revenue allocations authorized for each fund and fund account by amendment to the Revenue Stabilization law. Further, the General Assembly has determined that the Department of Human Services may operate more efficiently if some flexibility is provided to the Department of Human Services authorizing broad powers under this Section. Therefore, it is both necessary and appropriate that the General Assembly maintain oversight by requiring prior approval of the Legislative Council or Joint Budget Committee as provided by this section. The requirement of approval by the Legislative Council or Joint Budget

AGENCY REQUEST

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 DHS – ~~Medical Services~~ Behavioral Health Services

**ACT#:-**17-1SS

**SECTION#:** 21

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

Committee is not a severable part of this section. If the requirement of approval by the Legislative Council or Joint Budget Committee is ruled unconstitutional by a court of competent jurisdiction, this entire section is void.

The provisions of this section shall be in effect only from July 1, 2003 2005 through June 30, 2005 2007.

MOVED FROM DIVISION OF MEDICAL SERVICES

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 Behavioral Health

**ACT#:** NEW

**SECTION#:** NEW

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA HELP – BEHAVIORAL HEALTH SERVICES. It is hereby authorized for the Department of Human Services – Division of Behavioral Health Services for the 2005-2007 biennium, that the extra help positions authorized herein for the Department of Human Services – Division of Behavioral Health Services, 25 of those positions, when utilized in a manner which is reimbursable under Title XIX or other federal funds, are specifically exempt from limitation of hours, either by Act or Regulation.

The provisions of this section shall be in effect only from July 1, 2005 through June 30, 2007.

SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA HELP – BEHAVIORAL HEALTH SERVICES. Employees in extra-help positions at the Department of Human Services – Behavioral Health Division may receive an amount not to exceed eighty-five percent (85%) of the maximum annual salary for a comparable position as authorized under § 21-5-201 et seq. during any fiscal year, nor shall such an employee be employed for a period of time to exceed one thousand eight hundred (1800) hours in any single fiscal year.

The provisions of this section shall be in effect only from July 1, 2005 through June 30, 2007.



## **2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 Behavioral Health

**ACT#:** NEW

**SECTION#:** NEW

### **CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

SPECIAL LANGUAGE: NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL PROVISIONS FOR SHIFT DIFFERENTIAL WEEKEND PAY, ANNUAL SALARY SURVEYS AND EXPERIENCE ADJUSTMENT FOR REGISTERED AND LICENSED PRACTICAL NURSES, MENTAL HEALTH WORKERS AND CERTIFIED NURSING ASSISTANTS WORKING. All Registered Nurse, Licensed Practical Nurse and Certified Nursing Assistant classifications employed in areas providing critical support and care to Patient Units at Arkansas State Hospital and Arkansas Health Center during evening and night shifts shall be eligible to receive up to twenty (20) percent of the hourly rate paid as a shift differential. All Registered Nurse, Licensed Practical Nurse and Certified Nursing Assistant classifications required to provide critical and support care to Patient Units during weekend hours shall be eligible to receive up to twenty (20) percent of the hourly rate paid as a weekend differential. When facilities use shifts other than traditional eight-hour shifts, shift differential may be paid for those positions for shifts exceeding the normal day shift of the facility. When shift and weekend differentials are provided to employees as herein described, the total compensation may exceed the line item maximum salaries for those positions as included in this Act.

All Registered and Licensed Practical Nurse, Mental Health Worker and Certified Nursing Assistant Classifications employed the Arkansas State Hospital and Arkansas Health Center in areas providing critical support

### **EXECUTIVE RECOMMENDATION**

SPECIAL LANGUAGE: NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SPECIAL PROVISIONS FOR SHIFT DIFFERENTIAL WEEKEND PAY, ANNUAL SALARY SURVEYS AND EXPERIENCE ADJUSTMENT FOR REGISTERED AND LICENSED PRACTICAL NURSES, MENTAL HEALTH WORKERS AND CERTIFIED NURSING ASSISTANTS WORKING. All Registered Nurse, Licensed Practical Nurse and Certified Nursing Assistant classifications employed in areas providing critical support and care to Patient Units at Arkansas State Hospital and Arkansas Health Center during evening and night shifts shall be eligible to receive up to twenty (20) percent of the hourly rate paid as a shift differential. All Registered Nurse, Licensed Practical Nurse and Certified Nursing Assistant classifications required to provide critical and support care to Patient Units during weekend hours shall be eligible to receive up to twenty (20) percent of the hourly rate paid as a weekend differential. When facilities use shifts other than traditional eight-hour shifts, shift differential may be paid for those positions for shifts exceeding the normal day shift of the facility. When shift and weekend differentials are provided to employees as herein described, the total compensation may exceed the line item maximum salaries for those positions as included in this Act.

The provisions of this section shall be in effect only from July 1, 2005 through June 30, 2007.

**2005 – 2007 REQUEST FOR SPECIAL LANGUAGE IN APPROPRIATION ACT**

**AGENCY:** 0710 Behavioral Health

**ACT#:** NEW

**SECTION#:** NEW

**CURRENT SPECIAL LANGUAGE (WITH AGENCY REQUEST)**

**EXECUTIVE RECOMMENDATION**

and care on patient units will have their pay determined based upon Annual Labor Market surveys, plus adjustments based on experience. When salaries are determined in this manner, total compensation may exceed the line item maximum salary. Total compensation cannot exceed the line item maximum salary by more than twenty percent for those classifications included in this act.

The provisions of this section shall be in effect only from July 1, 2005 through June 30, 2007.